

**CALIFORNIA DEPARTMENT OF TRANSPORTATION
DUTY STATEMENT**

CLASSIFICATION TITLE Staff Services Manager I (Specialist)	DISTRICT/DIVISION/OFFICE Office of Driver Certification & Substance Testing	
WORKING TITLE Program Specialist	POSITION NUMBER 702-015-4800-XXX	EFFECTIVE 7/9/14

As a valued member of the Caltrans team, you make it possible for the Department to improve the mobility across California by being innovative and flexible; reporting to work regularly and on time; working cooperatively with team members and others; and treating others fairly, honestly and with respect. Your efforts are important to each member of the team, as well as those we serve.

GENERAL STATEMENT: Under the general direction of the Chief, Office of Driver Certification and Substance Testing (ODCAST), the Staff Services Manager I (Specialist) (SSM I (Spec)) is responsible for ensuring Departmental compliance with the Department's Drug-Free Workplace Policy, Federal Motor Carrier Safety Administration (FMCSA) regulations, collective bargaining agreement provisions, and applicable State regulations, rules and policies governing the collection of random, pre-employment, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing.

TYPICAL DUTIES:

Percentage	Job Description
Essential (E)/Marginal (M)	
35% (E)	Responsible for ensuring Departmental compliance with Federal Motor Carrier Safety Administration (FMCSA) regulations and applicable State regulations, rules and policies governing the collection of random, pre-employment, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing. Responsible for assessing the impact of new and/or FMCSA regulations and State regulations, rules and policy changes and published case law impacting the operation of ODCAST Programs. Responsible for assessing Departmental collective bargaining agreements for impact to ODCAST Programs. Recommend changes to ODCAST programs, departmental policies and procedures as appropriate. Provide technical guidance and problem resolution to program staff and Departmental managers/supervisors on difficult and sensitive issues concerning employees who return to duty after failing a drug and/or alcohol test. Arranges for <i>Skelly</i> hearings when requested and processes the recommendations of <i>Skelly</i> Officers. Serve as the Program's Reasonable Suspicion testing expert. Respond to internal and external inquiries regarding the Program's services to internal customers, other agencies both private and public. Administer and serve as Contract Manager for the contract for drug and alcohol testing services including handling difficult or complex deficiencies encountered at collection sites, during the laboratory testing process and/or the Medical Review Officer (MRO) review process. Procure drug and alcohol testing services for the Department and work with the Division of Procurement and

Contracts on necessary drug and alcohol testing services contract renewal, revisions and/or amendments. Assist internal customers statewide with procedural issues that arise during the drug and/or alcohol collection process.

- 20% (E) Represent the Department at the State Personnel Board (SPB) Pre-hearing Settlement Conferences and/or Evidentiary Hearings on adverse action and adverse action appeal cases served on employees who have failed required drug and alcohol testing. Also represent the Department at the SPB Pre-hearing Settlement Conferences and/or Evidentiary Hearings on non-punitive terminations related to loss of required commercial drivers licenses (CDLs). May serve as a technical Departmental Representative if either internal or external legal counsel will be representing the Department at SPB Hearings. Review in detail procedural regulations governing the Evidentiary Hearing process including filing an appeal, discovery, prehearing and settlement conference statements, evidentiary rules for the conduct of hearings, formal rules of evidence (including hearsay rules), examination of witnesses, introducing evidence, and hearings before the Board. Provide expert witness testimony at SPB Evidentiary Hearings involving termination for substance and/or alcohol abuse as needed.
- 20% (E) Responsible for conducting mandatory Department wide Reasonable Suspicion training for supervisors who supervise employees in safe-sensitive positions to ensure compliance with the Department's Drug-Free Workplace Policy concerning substance abuse and mandatory drug and alcohol testing for safety sensitive positions; CalHR's reasonable suspicion rules/regulations; and FMCSA regulations. Assist managers/supervisors to determine if there is a need to order a reasonable suspicion test; guide them through the process if it is decided to conduct a reasonable suspicion drug and/or alcohol test; be available 24/7 by cell phone if there are any questions regarding a reasonable suspicion drug and/or alcohol test or as potential situations arises so that pro-active measures can be taken.
- 15% (E) Determine appropriate action to be taken for employees who violate Federal or State regulations or Departmental policies prohibiting substance/alcohol abuse and/or loss of driver's license. Investigate facts to determine disciplinary recommendations, including research of employees past performance histories. Prepare and serve adverse actions and/or letters of warning as deemed appropriate and determine whether or not stipulated settlement agreements should be offered. Advises employees of their rights and responsibilities regarding rehabilitation/treatment and the return to duty process. Advises employees of all the terms of stipulated settlement agreement conditions and requirements for compliance (e.g., timeliness of scheduled Substance Abuse Professional (SAP) evaluation and rehabilitation enrollment), as well as consequences for non-compliance. Process stipulated settlement agreements approved by SPB. Refer employees to appropriate contacts for SAP services as required by applicable regulations. Receive, review for completeness and accuracy, and process all required SAP documentation. Determine if employees

have fulfilled all conditions for return to duty and establish return dates with appropriate District and Headquarters Human Resources Personnel.

- 5% (E) Act as the Departmental representative at Employment Development Department (EDD) unemployment benefits appeal hearings for separated employees involving termination for substance abuse. Represent the Department at SPB Withhold Hearings when candidates for employment fail the mandatory pre-employment drug and/or alcohol test; candidates were denied employment under 19572 (a) Fraud in securing employment; or when candidates with a commercial license fail the required commercial driver background check.
- 5% (M) Review reports produced by the Program's database to ensure: 1) the accuracy of the drug and alcohol testing database; 2) that Federal reporting requirements are met; 3) Departmental compliance with Federal requirements to test; 4) employees who are required to undergo random drug/alcohol testing comply with such requirements; and 5) results are accurately recorded and pertinent records are maintained.

SUPERVISION EXERCISED OVER OTHERS

None. The SSMI will provide expertise and act as a lead to less experienced/knowledgeable ODCAST Program staff.

KNOWLEDGE, ABILITIES AND ANALYTICAL REQUIREMENTS

Knowledge of the principals and modern methods of public business administration including organization, fiscal and personnel management, principals and practices of personnel management, database management, organization and functions for Caltrans. Ability to follow oral and written directions; evaluate situations accurately and take an effective course of action; deal tactfully with the public and other employees; apply specific laws, rules, regulations and office policies and procedures; communicate effectively. Incumbent must be knowledgeable in all aspects of drug and alcohol testing, with particular emphasis on federal and state laws and existing case law. Incumbent must possess the ability to analyze and accurately interpret and implement Caltrans Policy, Federal and State law and regulation and developing case law. Incumbent must be able to accurately identify cases presenting potential for adverse litigation and/or cases for which the department's position is compromised due to procedural deficiencies and determine appropriate course of action to minimize such litigation.

Ability to analyze and interpret Federal and State regulations and State law and policy, analyze their impact on Caltrans operations; identify and investigate facts and determine and effective course of action and develop procedures to implement legal and regulatory requirements.

CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS

This position carries primary responsibility to ensure that Caltrans remains in compliance with Federal and State regulations applicable to safety sensitive employees. Failure to maintain a drug and alcohol testing program in accordance with federal regulations exposes the Department to monetary sanctions in the amount of \$10,000 per day, per occurrence. Poor decisions may affect the business operations of the involved District/Divisions and open up the Department to potential substantial litigation and settlement costs.

PUBLIC AND INTERNAL CONTACTS

Incumbent regularly advises management personnel, especially staff in the Maintenance Program, and District staff statewide on Federal and State drug and alcohol testing requirements as well as the adverse action process related to a positive or refused drug and/or alcohol test. Incumbent may be requested to consult with and/or advise other State departments and private contractors regarding drug and alcohol testing best practices.

PHYSICAL, MENTAL AND EMOTIONAL REQUIREMENTS

The incumbent will be required to deal with a high volume of paperwork and will need to handle time-sensitive deadlines to complete the requirements of the job efficiently and effectively. Must be sensitive to protecting the confidentiality of documents handled. May be subject to receiving irate calls from employees and/or the general public and must be able to remain and respond to callers in a calm manner. The Incumbent will be required to travel statewide to Caltrans Districts for purposes of training and for purposes of representing Caltrans at Administrative hearings identified above. Incumbent is headquartered in Sacramento; however, s/he will be required to travel to various work locations in California on a regular basis, including both one-day trips and overnight trips.

I have read and understand the duties listed above and can perform them with/without reasonable accommodation. (If you believe you may require reasonable accommodation, please discuss this with the hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

EMPLOYEE

DATE

I have discussed the duties with and provided a copy of this duty statement to the employee named above.

SUPERVISOR

DATE